

UNITE TO SAVE BROADWAY TRADE

Al Hayman Heads Committee
to Protest Against Uncover-
ing the Surface.

TUNNEL THEIR DEMAND

Any Other Plan Fraught with Disas-
ter to Their Interests, Business
Men Declare.

CRIME, SAY THEATRE OWNERS

With Every Means at Its Command, Mr.
Hayman Affirms, Will Commence
Fight This "Outrage."

After many indignant speeches of protest against the tearing up of Broadway, between Union square and Forty-second street, in the event of the Rapid Transit Commission deciding to construct a spur of the underground road in that thoroughfare, the opposition of the business men in the district assumed concrete form yesterday afternoon.

Thirty of the representative men in every class of trade gathered in Parlor D R of the Fifth Avenue Hotel, and, determining that they would not "petition" the authorities to see that the surface of Broadway remain intact, but would "protest" that it should not be disturbed, appointed a committee to draw up the protest. This committee, of which the chairman is Al Hayman, head of the theatrical syndicate, will meet in his office to-day, and will report to another general meeting to be held in the Fifth Avenue Hotel on Thursday afternoon.

When W. H. R. Martin, of Rogers, Peet & Co., and the proprietor of the Martinique, called the meeting to order there were two dozen men in the room, not as many as had been expected, but it was explained that others who had promised to attend had not returned to the city.

Men Who Will Fight.

Those who had come were Al Hayman, Edward Hatch, Jr., of Lord & Taylor; L. L. Todd, of the Vendome and Marlborough hotels; Charles D. Jones, glove manufacturer; John Ives, of the Purcell Manufacturing Company; George T. Stockham, of the Criterion Hotel; E. L. Merrifield, of the Continental Hotel; Theodore Munford, optician; Alexander Shaw, also an optician; James Slater, of J. & J. Slater, who have been in the shoe business in that section of Broadway for forty-five years; J. N. Wright, of Arnold & Constable; Charles N. Vilas, of the Fifth Avenue Hotel; Nathan L. Ottinger, real estate dealer; Morgan Ross, manager of the Imperial Hotel; H. M. Raymond, of A. A. Vandine & Co.; C. W. Sweeney, of the Victoria Hotel; W. N. Le Cato, of the Gorham Manufacturing Company; Frank B. Hunter, a florist, and Richard J. Donovan, a lawyer, who represented four proprietors of stores—L. J. Finch, W. E. Edge, Alexander Newburger and W. C. Merz.

After Mr. Shaw had been chosen as secretary, Mr. Martin explained the object of the meeting. He said:—
"It is needless to say we all are interested vitally in this project of an underground road in Broadway. If it can be constructed properly and not at the expense of the property owners and merchants along the line. It is not a question of not having the subway, but how it can be constructed with the least disturbance. If we can have it without tearing up the street surfaces that is one thing; it's an entirely different matter if we must have the street torn up."

Theatrical Men's Protest.

Mr. Hayman was the first to arise when Mr. Martin called for an expression of opinion. Said he:—
"I speak for Charles Frohman, Daniel Frohman, Messrs. Klaw and Erlanger and myself, operating twelve leading theatres in Broadway, between Twenty-third and Forty-fifth streets. We wish to utter a protest against what we consider a crime. We believe in the subway; we believe in affording every facility for the people of the city to move from place to place, but we protest against excavating the city's one prominent thoroughfare when it may be tunneled."

"Here we have a big corporation, with millions of dollars, not only building this subway, but leasing it, and it says it cannot tunnel Broadway. If the North River can be tunneled, why not Broadway? Why must we stand by calmly and see our business ruined?"

"We protest indignantly. We are licensed to do our business, we have our property rights, and if the Mayor of this city will permit this ditch in Broadway he might just as well cancel our license and drive us out of business."

"We are going to fight against the tearing up of Broadway in every way we know how—fight it with sentiment, fight it with money, fight it with everything at our command. It will be a passing strange matter if those people who are constructing the subway, for the sake of saving a few dollars for themselves, can bankrupt twenty blocks of business houses."

Mr. Hayman was applauded vigorously as he seated himself, and then Mr. Donovan addressed himself to the phase that the city in no way indemnifies any property owner of business man for the injury to his interests. He ended by offering for adoption a document in which stress was placed on this point. After Mr. Shaw had ended reading it Mr. Hayman jumped to his feet.

Demand Tunnel, Not Ditch.

"I believe that the document you are introducing is something foreign to the object for which we have met. It is not settled yet that the branch of the subway will be constructed along Broadway, although we believe it will be. But we are here to protest against making a ditch of the thoroughfare and not to ask the city to pay damages to us. We don't want Broadway to be a ditch, that is the point; we want it tunneled."

"They can tunnel in London and in Paris and in Budapest, where they have built a larger tunnel than that of this city, and where you would not know it was being constructed from any indications on the surface. Why can they not do likewise in this city? We are here to protest against a repetition of the condition imposed on the people of Union Square and of Forty-second street."

"I am here to protest, and I do protest against the men who are building this tunnel and who are to operate it from constructing it in a way whose only recommendation to them is that it is cheaper than tunneling. I wouldn't give my consent to tearing up Broadway if they would agree to pay me fourfold damages. If we adopt that petition we put ourselves on record as saying we are willing they

(CONTINUED ON PAGE FOUR.)

GET MONEY BACK FROM LITTAUER

Judge Advocate Davis Declares
There Is Ground to Re-
cover on Contract.

PRIMA FACIE EVIDENCE

Only Question Is Amount To Be
Demanded from Representa-
tive's Firm.

CHARGES SENT TO MR. KNOX

Secretary Root Refers Documents in Case
with His Opinions to the De-
partment of Justice.

HERALD BUREAU,
No. 734 FIFTEENTH STREET, N. W.,
WASHINGTON, D. C., Monday.
Representative Lucius N. Littauer's case now rests with Attorney General Knox. After a long conference this afternoon with Judge Advocate General Davis, Secretary Root announced that there seemed to be prima facie evidence of a violation of the statute forbidding members of Congress to interest themselves in government contracts, and on this account he had referred the charges against Mr. Littauer to the Department of Justice.

The report of Inspector General Garlington on the contracts with E. R. Lyon, in which Mr. Littauer is said to be interested, Judge Advocate General Davis' opinion of the case, and a statement by the Secretary of War on the attitude of the War Department toward the prosecution, were immediately forwarded to the Law Department of the government.

Attorney General Knox is not in town and no official of his department would discuss the matter to-night, but it is assumed on all sides that the case will receive immediate attention and be treated precisely the same as all others of like nature.

In submitting the documents to Attorney General Knox with the statement that there is prima facie evidence of a violation of the law, Secretary Root sustains the opinion of Judge Advocate Davis, which makes clear that there is ground to recover on the contract of December 7, 1898. Practically the only question on which the Department of Justice is asked to give a ruling is whether suit should be brought against Littauer Brothers to recover all the money or only part of the money paid to them by the government on the December contract.

Judge Advocate Davis' opinion discusses all the glove contracts the government entered into with E. R. Lyon, but is based chiefly on the contract for December 8, 1898, concerning which Representative Littauer wrote a letter to Mr. Lyon and mentioned the contract as one which was held by them jointly. This letter also spoke of Lyon's share of the profit in the transaction. The contract was for 30,000 pairs of army gloves at \$1.70 a pair, a total of \$51,000.00, and Mr. Lyon's share of the profit is mentioned as being more than \$5,000.

After declaring this contract to have been a clear violation of section 3,729 of the Revised Statutes, Judge Advocate General Davis expresses doubt as to what is intended by the section which states that in case contracts are made in violation of this statute any money "advanced" in consideration of such contracts is to be repaid. The Judge Advocate General is not clear whether the money paid by the government on the glove contract was "advanced" in the sense intended in the section.

PROTEST ACTION OF SECRETARY.

The prompt action of Secretary Root in referring the case against Mr. Littauer to the Attorney General refutes the rumors that the case would be dropped because of the friendship existing between President Roosevelt and the New York Representative. Mr. Littauer has had treatment which in no way differed from that which the War Department would have accorded any man against whom charges were made which reflected upon officers in the Quartermaster's department.

MR. ROOT'S STATEMENT.

This is Secretary Root's statement concerning the case given out at the War Department late this afternoon:—

"I suppose there is no doubt that a manufacturing firm, one member of which happens to be a member of Congress, has a right to manufacture and sell goods to the government. There appears to be no evidence that in the manufacture of gloves by the Messrs. Littauer Brothers to be used in filling government contracts made by Lyon and others there was any violation of the statute except in one case, the contract of December 7, 1898."

"It is not the duty or the right of the Secretary of War to adjudicate that case or to determine whether the statute was or was not violated, except in so far as it may be necessary for him to decide what action, if any, should be taken by the War Department in view of the facts disclosed. I think the indications of an interest in the manufacturing firm in the government contract with the government are sufficient to require it to be proved upon the theory that there is a prima facie case of violation of the statute."

SANITY MEANS \$50,000

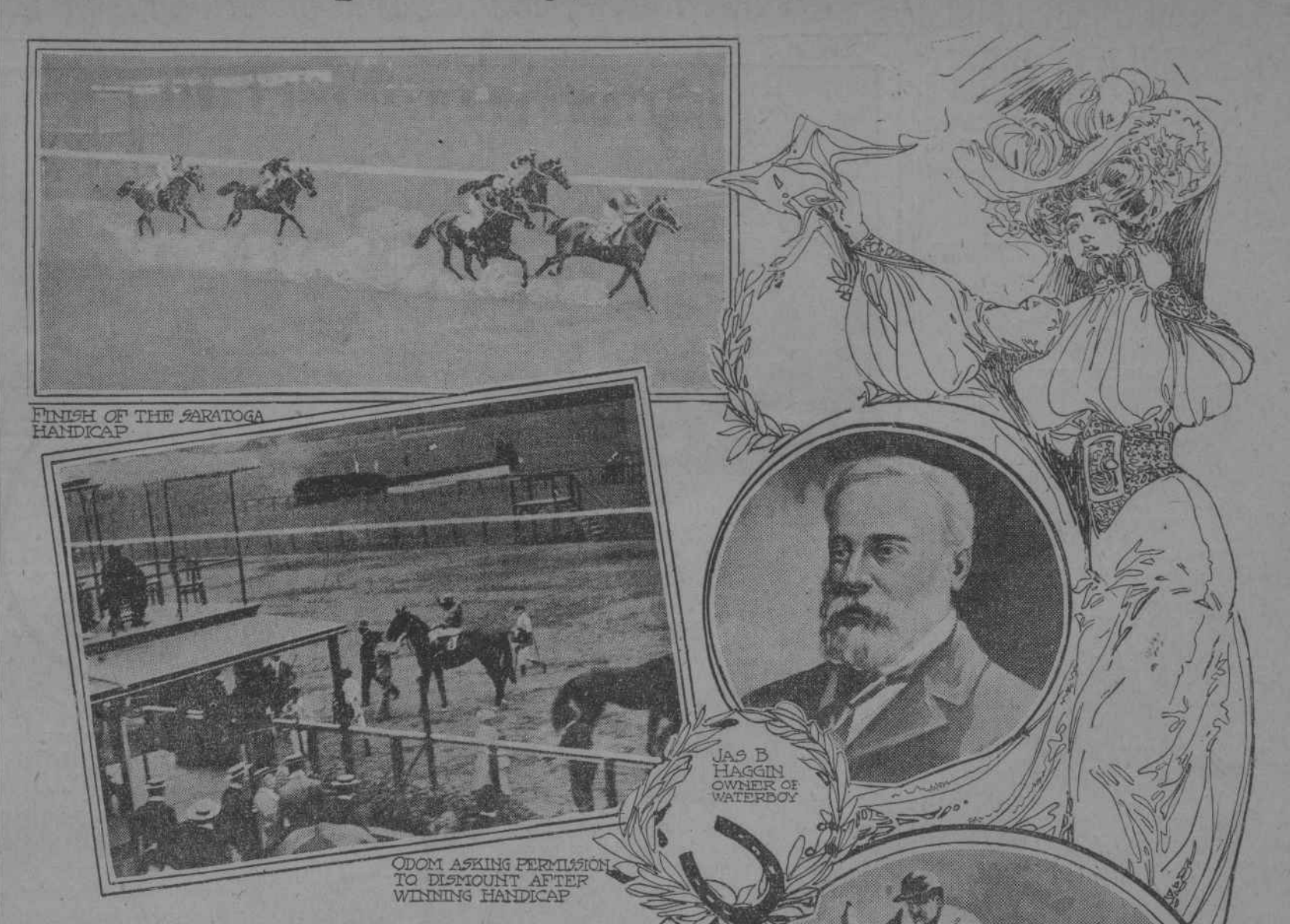
Payment of Walter H. Coggeshall's
Life Insurance Depends on His
Mental Condition at Death.

[SPECIAL DESPATCH TO THE HERALD.]
PHILADELPHIA, Pa., Monday.—Upon the question of the sanity of Walter H. Coggeshall, son of former State Senator Coggeshall, of New York, who committed suicide in Baltimore early last month, will rest the payment of \$50,000 insurance on policies issued by an insurance company in this city. If proof that he was insane when he took his own life is not forthcoming the company will refuse payment under a clause which appears in all of their policies.

No action looking to the collection of the insurance can be taken for several months. Mr. Coggeshall had been Nervous and Despondent.

Walter H. Coggeshall sent himself in the head on July 11 while alone in his residence in Baltimore. He had lived there two years and was conducting a prosperous brokerage business. His affairs were in good order and his home life happy, but for some time before his suicide his assistants said his nerves had been in bad condition and he suffered from fits of despondency. He was thirty-two years old.

Winner of Saratoga Handicap, His Owner, Jockey and Finish of Race



BUILDING UP A NEW RED CROSS

Miss Clara Barton Plans an
Organization with a Big
Permanent Fund.

CUTTING OUT RED TAPE

Proposes to Relieve Distress Without
Waiting for Machinery To Be
Set Up.

[SPECIAL DESPATCH TO THE HERALD.]
OXFORD, Mass., Monday.—Miss Clara Barton, founder and president of the Red Cross, who is visiting her native town, has prepared an address to the American people, in which she outlines a plan for the collection of a million dollar fund with which something permanent for the aid of humanity can be established, in anticipation of the time when she must necessarily lay down her work.

It is assumed that the new organization will be an annex of the Red Cross, but some persons say it will be a rival.

This fund, she proposes, shall be backed by an organization to be known as the National Society of Red Crosses and be at the ready command of a Finance Committee of men of national reputation, when calamity breaks upon the country, or, as one of her associates describes it, "a fund that may be used without waiting for the slow organization of relief committees and the erection of elaborate machinery for passing every dollar to be distributed through a cash register."

LEADING MEN INVITED.

Miss Barton has sent invitations to leading men in all the States to become members of the National Advisory Board of the Red Cross, and she says the favorable responses are general.

"A time must come," says Miss Barton, in her address to the public, "when I will be compelled to lay down my work. Out of the many years I have given to this work has grown one dear ambition, if I may call it such—a great desire to leave the Red Cross a great national institution in the hands of the people, supported by the people, for their mutual help and strength in the face of disaster."

"It is proposed that any reputable person in the United States may become a subscribing member of the Red Cross upon the payment of \$1 a year, which is the full membership dues. Upon the payment of fifty cents additional, the Red Cross badge, in the form of a pin or button, may be procured, and fifty cents will procure a diploma of membership for framing."

WANTS IDEA TO BEHOLD.

"I want this idea to spread and grow until it develops into a great national Red Cross movement. Then my hope will be realized, and when my call shall come I can lay the burden of my work tenderly and lovingly into the lap of the whole people with whom I have labored so many years, because it is the great sacred cause of humanity which they hold."

"Out of the great national fund so created I want, first, to have erected permanent executive offices, which shall be the people's home of the Red Cross. This will contain a permanent organization for administering Red Cross relief not only on the immediate field of disaster, but relief of all the suffering and distress growing out of a great calamity."

"From these central executive offices of the Red Cross will be directed the new educational movement in the direction of popular instruction in first aid methods of treatment of the injured, needed more and more as our population and dangers increase."

"In addition, I am organizing a financial committee, composed of men of national reputation and experience, who will stand as a warranty to the nation that the funds of the people are being administered with careful integrity."

Friends of the new society say it is an elaboration of the Red Cross.

"First Aid Department, Branch No. 1," of the new society has been organized here in Oxford, with Alfred H. Chaffee as chairman and F. O. Bixby as secretary. It is the intention to have similar branches everywhere.

Tutuniaux Celebrate Fourth.

WASHINGTON, D. C., Monday.—The Navy Department has received from the commandant of the naval station at Tutuniaux a mail report telling of the celebration by the natives of the Fourth of July. Field sports were the feature of the programme.

EDISON DESCRIBES EFFECT OF X-RAYS

Inventor Suffers from a Mal-
ady That H's Baffled
Many Experts.

TWO ASSISTANTS VICTIMS

"Soldiers of Science" Pay for Devotion
with Amputated Arm and
Maimed Hand.

Thomas A. Edison described to a reporter for the HERALD yesterday the injurious effects upon himself which have followed his recent experiments with the X ray. These may affect Mr. Edison's health seriously, but he believes he has made a discovery of importance to medical science.

He is firmly convinced that the destroying process of the X ray that has necessitated the amputation of the left arm and fingers of the right hand of Clarence Dally, one of his assistants, and is now threatening the left hand of Charles Dally, his brother, is the direct result of the killing, or paralyzing, of certain white blood corpuscles known as phagocytes, whose function is to circulate through the blood and into the tissues, carrying away all foreign substances that disturb the healthy condition of the flesh and blood.

These energetic guardians of the human body were discovered by Dr. Metschnikoff, of the Pasteur Institute, Paris, recently, and Mr. Edison said yesterday that he felt certain it was the peculiar destroying or disabling effect the X rays have upon them that makes the rays so destructive to normal human flesh.

Sitting in the library of his laboratory at Llewellyn Park, he told the story of his experiences. "I'm sorry," said Mr. Edison, "that the story has gone out that I have been made blind by the X ray, for that is wholly untrue. I have suffered from it much more in other ways. The violet light has upset my digestion and put me in a bad way. Lumps have formed all through the region of my stomach, and none of the many specialists I have consulted can do anything to relieve it. They say it is a new condition of affairs to them. I have been examined by one man who has dissected more than four thousand bodies, and it puzzles him as much as the others. I know it is the result of the X ray, because I hold the tube close to my stomach when I worked. The only thing that saved my eyes was the fact that I used a very weak tube, and as it was my eyes were out of focus for a time. They are all right now."

Charles Dally, a young assistant of Mr. Edison, was called and the inventor took his left hand, holding it up to the light. The flesh was seared and inflamed, the skin in places being dry and presenting the appearance of a severe burn from oil or hot water that had begun to heal.

"I hope this arm will not have to go, as my brother's did," said Mr. Edison, "but it looks bad. Six months ago his brother's left arm was taken off at the shoulder, and a few days ago they had to amputate two of his right fingers."

"Now, the strange part of it all is that all this is the result of working with the X-ray five or six years ago."

"We were all deeply interested in certain experiments I was making and were shut up with the X-ray several hours each day. Finally it began to take hold of us and we had to stop, and we gave our attention to other things. The years went by, and now comes this result."

Say Schwab Will Be Out To-Day

Pittsburg Newspaper Gives as Authentic Statement That
the Steel Trust Directors Will Accept
His Resignation.

[SPECIAL DESPATCH TO THE HERALD.]
PITTSBURG, Pa., Monday.—According to a despatch from Philadelphia, which will be published in a Pittsburg newspaper to-morrow morning, Charles M. Schwab has tendered his resignation as president of the United States Steel Corporation.

It is said Mr. Schwab's resignation has been in the hands of the directors some little time, and action by that body is expected to-morrow. It is stated that one of the directors said the resignation would probably be promptly accepted.

STEEL CHANGES EXPECTED.

There will be a directors' meeting of the United States Steel Corporation, at which some important changes in the composition of committees are anticipated. Mr. Frick's name is mentioned as the future chairman of an important committee, and it is stated with some authority that a place will be made for Mr. W. E. Corey on the Executive Committee. It has been denied that Mr. Schwab will tender his resignation at to-day's meeting.

WATERBOY WINS HARD FOUGHT RACE

J. B. Haggin's Great Horse
Leads Home Fine
Field in Saratoga
Handicap.

HUNTER RAIN TOO NEAR FOR COMFORT

Caughnawaga a Good Third,
but Gunfire and Her-
mis Nowhere.

TRACK TIME EQUALLED

Winner, Carrying 127 Pounds, Odom
Up, Covers Mile and a Quar-
ter in 2:05 3-5.

SOCIETY FILLS CLUB HOUSE

Beautifully Gowned Women Make Opening
Day One Long To Be Re-
membered.

[SPECIAL DESPATCH TO THE HERALD.]
SARATOGA, N. Y., Monday.—Saratoga opened its racing season to-day in a manner that demonstrated the popularity of the resort. There was a record breaking crowd at the track, and it is estimated that there are more persons in Saratoga to-night than ever before at this time of the year. The racing was all that had been promised, and that is saying much for those who are responsible for the rejuvenation of the place had advertised the present season as the greatest ever held here. The Saratoga Handicap, of course was the feature of the day, and it served to establish the mighty Waterboy more firmly than ever in the affections of the public. His record of 2:05 3-5, equalling the track's previous best, made by Cynard last year, carrying sixteen pounds less than the winner of to-day, stamped him as the phenomenal thoroughbred that his admirers have said he is.

Society was at the track this afternoon in great numbers. The club house and the grand stand boxes were filled. The sky was overcast, and several times during the afternoon a desperate effort was made to bring about a storm. Rain fell for a few seconds, but barely enough to lay the dust and keep the grass green. The track itself was not affected, and remained lightning fast. The sun broke through the clouds on rare occasions and tempered the atmosphere, which otherwise would have made light wraps something to be enjoyed.

Beauty and Fashion Abound.

It would be difficult to picture a more beautiful scene than that presented by the grand stand and the club house to one out on the lawn. There was sufficient color to give the impression of one great bouquet, and the beauty was enhanced by the freshness of the surrounding green. The race which has been built up within the last enclosure since it came under the management of Mr. W. C. Whitney was at its prettiest, and those who were present felt the joy of living and of having a part in so pleasant an occasion. The women who watched the racing took a direct interest in what was going on about them. Few of them sat without racing charts to give them information concerning the horses and more than one fine lady was seen with a betting slip in her hand, ready to bet on the winner. Women who never think of making wagers on horses elsewhere than in Saratoga.

Many of the layers of odds complained that the day was not remunerative, but it is probable that their profits were not small. The trouble was that some expected a repetition of last year's spectacular gambling, and they were disappointed. Notice has been served upon several sensational plunkers that their methods are objectionable, and it is probable that betting will never again have the influence upon racing that it had last year. Not that betting was tabooed a day. On the contrary, the first race was the clubhouse contingent divided into teams, each betting against the money of the other. But it was all done in a quiet manner, and the spectacular features of last year's betting were absent.

Mr. Sanford Beats Mr. Whitney.

It had been expected that Mr. John Sanford's Chucatanua would be the favorite for the first race, and the friends of the Whitney stable promised to make Leonora Loring a strong second choice. When the betting opened so much money poured into the ring on Leonora Loring that the sweet filly was soon installed as the favorite, while money by the thousands poured in on Chucatanua. It was Mr. Whitney against Mr. Sanford. How much money was wagered can not be told, but it is said to-night that one wager of \$15,000 was made on Mr. Whitney's filly. The race showed that the betting was not far wrong, the two favorites having the race to themselves, Chucatanua winning by its most narrow of margins. As soon as the result was known Mr. Whitney shook hands with his successful rival and congratulated him upon having the best sprinter in the country. Mr. Sanford replied with the graceful assurance that Mr. Whitney might be certain that there is filly in training that can defeat Leonora Loring at six furlongs.

When the two thoroughbreds returned to the judges' stand the women in the grand stand stood up and applauded winner and loser alike. Not even the Saratoga Handicap created more enthusiasm than did this race, the first of the season here. Many hoped that Mr. Whitney would furnish the winner of the handicap, and had some hope of success, though he was not overconfident. He regarded Waterboy before the race, and he does not know, as great a lover of race horses in training in the country.

There were many who were placing their hopes upon the once great Hermis, before the race was run it became known that Mr. E. R. Thomas' candidate was yet himself. Many hoped that he would not be started, and the trainer of Hermis was in favor of scratching him. Mr. Thomas decided that Hermis should run, explaining that he would rather have the horse beaten, than not be represented in so splendid a event.

Waterboy a Grand Horse.

After the race every one was ready to acknowledge that Waterboy is a grand horse. His performance was regarded as better than it seemed to be the casual observer for the reason that Odom had to ride him hard during the first part of the race to keep his position. This should

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WILD AUTOMOBILE RUNS INTO SOUND

Runaway Machine Clears Two Stone
Walls and Makes a Sub-
marine Trip.

OWNER IN VAIN PURSUIT

Mr. Ralph C. Carroll Chases the Heavy
Car That Dodges with Exasperat-
ing Ingenuity.

WOMAN CALLS HERSELF WIDOW

Former Guatemalan
President.

After having been driven about in a cab for two hours last evening, a woman who said she was Mme. Algeria de R. de Barrios, widow of a former President of Guatemala, was locked up in the West Thirtieth street police station.

To Policeman O'Brien, who found her wandering in Thirtieth street, near Seventh avenue, it seemed that she acted strangely. Mme. de Barrios explained to Sergeant Wall that she was ill.

John Kelly, a cab driver, was engaged late in the afternoon by the woman to drive her to various hotels. She did not get out at any of the places. She complained of being ill and told him to keep moving, as she needed air. When she finally decided to dismount Kelly she told him that she had no money.

When Policeman O'Brien took her into custody she haughtily told him she was an aristocrat and that it would disgrace her to be placed in a cell.

"I am the widow of Don José R. de Barrios, who once was President of Guatemala," she told Sergeant Wall. "I live in Paris and have no home in this city."

Later she said she lived in the Hotel Lafayette-Brevort. Mme. de Barrios was admitted to bail furnished by the manager of the hotel.

In her bare feet—she had removed her shoes and stockings and declined slippers, which a matron had offered her—Mme. de Barrios walked haughtily to a carriage, leaning on the arm of her stepson, a Mr. Watson, who explained that he and his mother had been in town two days and were on their way to Paris.

ADOPTS TWO WOMEN

Wealthy Widower Takes School
Teacher and Stenographer Into
Family as Daughters.

[SPECIAL DESPATCH TO THE HERALD.]
NORTHAMPTON, Mass., Monday.—Good fortune has befallen Miss Martha Evelyn Bardwell, thirty years old, of Hatfield, lately a teacher in the public schools here, and Miss Susan Loomis, twenty years old, of East Hampton, who until recently has been a stenographer.

These two young women have been adopted by E. S. Simmons, a wealthy, retired business man of Hartford, Conn. They are to live with him, travel with him and in every way possible fill the place of children, and at his death are to inherit his fortune. One of the provisions of the adoption is that the young women shall not marry until after Mr. Simmons' death.

Mr. Simmons is a widower about seventy years old. He is fond of the society of young people, and having met Miss Bardwell proposed that he adopt her. He said she might select a companion and her choice fell upon Miss Loomis.